IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No.23859 of 2003

&

CONTEMPT CASE No : 985 of 2004

1. WRIT PETITION No.23859 of 2003

Between:

D. Mussal Reddy S/o Venkata Ranga Reddy
P.E.T., R/o Sri Vivekananda Gurukula Vidyalaya High School, Mahanandi, Kurnool District

..... PETITIONER

AND

1 The State of Andhra Pradesh, rep. by its Secretary,
School Education Department, Secretariat, Secretariat Buildings, Hyderabad
2 The Commissioner and Director of School Education
Government of A.P., Saifabad, Hyderabad
3 Sri Vivekananda Gurukula Vidyalaya High School, Mahanandi, Kurnool District by its Correspondent Y. Venkat Reddy

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or Mandamus, declaring the action of the respondents in not admitting the post of the petitioner into Grant-in-Aid following recommendation of the High Level Committee vide Rc.No. 1452/D2-1/94, dt. 28-10-1994 on par other similarly situated persons who are working in the 3rd respondent school and who's posts were admitted into Grant-in-Aid as illegal arbitrary discriminatory and violative of Art.14, 21 of the Constitution of India and consequently direct the respondents to release entire arrears of salaries attached to the posts of the petitioner including all consequential benefits from the year 1994.

Counsel for the Petitioner: MR.K.V.N.BHUPAL

Counsel for the Respondent Nos. 1and 2: GP for School Education

Counsel for the Respondent No.3: None appeared

CONTEMPT CASE NO : 985 of 2004

Contempt Case U/s. 10 to 12 of Contempt of Courts Act to punish the Respondents 1 and 2 herein in not implementing the orders in W.P.M.P.No.29999 of 2003 in W.P.No.23859 of 2003 dated 13.11.2003 by his Lord Ship justice C.V. Ramulu and to grant such other order or orders as this Hon'ble Court deems to fit and proper.

Between:

D. Mussal Reddy, S/o Venkata Ranga Reddy,
Rtd., P.E.T., Sri Vivekananda Gurukula Vidyalaya High School,
Mahanandi, Kurnool Dist.

..... PETITIONER

AND

1 I.V. Subba Rao, Secretary,
School Education Department, Government of A.P.,
Secretariat, Secretariat Buildings, Hyderabad
2 **D. Chakrapani**, Commissioner & Director of School Education,

(P. Krishnaiah) (by order of the Court, name of P.Krishnaiah is deleted and added the name of D. Chakrapani vide order dt. 14.09.2004)
Government of A.P., Saifabad, Hyderabad.
3 Y. Venkata Reddy, Correspondent,
Sri Vivekananda Gurukula Vidyalaya High School, Mahanandi,
Kurnool dist.

.....RESPONDENTS

Counsel for the Petitioner: MR.K.V.N.BHUPAL

Counsel for the Respondent Nos.1&2: GP FOR SCHOOL EDUCATION

Counsel for the Respondent No.3: None appeared

The Court made the following ORDER:

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No.23859 of 2003

&

CONTEMPT CASE No : 985 of 2004

ORDER:

The Contempt Case is filed complaining that the interim orders of this Court in W.P.M.P.No.29999 of 2003 in W.P.No.23859 of 2003 have not been implemented.

The petitioner filed W.P.No.23859 of 2003 praying for issuance of writ of mandamus declaring the action of the respondents in not admitting the post of the petitioner into Grant-in-Aid following recommendation of the High Level Committee vide Rc.No.1452/D2-1/94, dt. 28.10.1994 on par with other similarly situate persons, who are working in Sri Vivekananda Gurukula Vidyalaya High School, Mahanandi, Kurnool District, and who's posts were admitted into Grant-in-Aid as illegal, arbitrary, discriminatory and for a consequential direction to the respondents to pay the entire arrears of salaries attached to the posts of the petitioner including all consequential benefits from the year 1994.

This Court, while admitting the writ petition on 13.11.2003, granted interim direction, directing the respondents to consider the case of the petitioner in the light of the recommendations made by the High Level Committee and having regard to the

longevity of services rendered by the petitioner and also keeping in view of the fact that this benefit was already extended to several other persons, who are similarly situate.

Pursuant to the interim orders passed by this Court, the first respondent–Government passed orders in G.O.Ms.No.144 School Education (PS.I) Department, dated 01.10.2004, admitting the post of the petitioner into Grant-in-Aid.

In view of the orders passed by the Government in G.O.Ms.No.144, dated 01.10.2004, no further orders are required to be passed in the writ petition as well as in the contempt case. Accordingly, the writ petition and the Contempt Case are closed. No costs.

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V.ESWARAIAH, J

Date: 04.10.2004

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To

1 The Secretary, State of Andhra Pradesh,
School Education Department, Secretariat, Secretariat Buildings, Hyderabad

2 The Commissioner and Director of School Education
Government of A.P., Saifabad, Hyderabad

3 Two CCs to G.P for School Education, High Court of A.P. Buildings, Hyderabad (OUT)

4 Two CD Copies